

MAT-8023US



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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Shigeru Yoshida et al. : Art Unit:
Serial No.: 09/672,216 : Examiner:
Filed: September 28, 2000 :
For: MOTOR ASSEMBLED BY USING :
MOTOR-BASE-HOLDER AND
METHOD OF ASSEMBLING THE
SAME MOTOR

PETITION FOR CORRECTION OF ERRONEOUS
NOTICE TO FILE MISSING PARTS UNDER 37 C.F.R. § 1.182

Assistant Commissioner for Patents
Washington, DC 20231

S I R :

This Petition is being filed in response to the Notice to File Missing Parts dated November 13, 2000 (copy enclosed).

The Notice to File Missing Parts contains erroneous material. Applicants' representative is filing this Petition to ensure that the PTO file wrapper contains accurate information.

The Notice to File Missing Parts includes the following statement:

The following item(s) appear to have been omitted from the application:

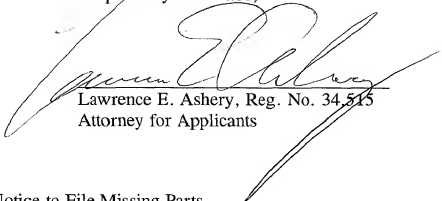
Figure(s) 3C, 4B described in the specification.

Applicants' representative has carefully reviewed the specification filed on September 28, 2000. During that review, Applicants' representative was unable to find any description of Figures 3C and 4B in the specification. Thus,

Applicants' representative does not understand why the Notice to File Missing Parts includes the statement that certain items were omitted from the application.

Applicants' representative is thus requesting that an affirmative statement be made that the application was complete as filed and no items were omitted at the time of filing.

Respectfully Submitted,



Lawrence E. Ashery, Reg. No. 34,515
Attorney for Applicants

LEA:aw

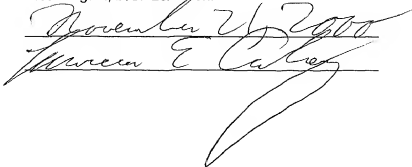
Enclosure: Copy of Notice to File Missing Parts

Dated: November 21, 2000

P.O. Box 980
Valley Forge, PA 19482-0980
(610) 407-0700

The Assistant Commissioner for Patents is hereby authorized to charge payment to Deposit Account No. 18-0350 of any fees associated with this communication.

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231 on:

November 26, 2000




UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/672,216	09/28/2000	Shigeru Yoshida	MAT-8023US

Ratner and Prestia
Suite 301
One Westlakes Berwyn
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NOV 27 2000

PATENT & TRADEMARK OFFICE

RECEIVED

NOV 17 2000

RATNER & PRESTIA

FORMALITIES LETTER



OC000000005550812

Mini Parts 1/13/01
inf

Date Mailed: 11/13/2000

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given TWO MONTHS from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 130.

The following item(s) appear to have been omitted from the application:

- Figure(s) 3C,4B described in the specification.

I. Should applicant contend that the above-noted omitted item(s) was in fact deposited in the Patent and Trademark Office (PTO) with the nonprovisional application papers, a copy of this Notice and a petition (and \$130.00 petition fee (37 CFR 1.17(i))) with evidence of such deposit must be filed within TWO MONTHS of the date of this Notice. The petition fee will be refunded if it is determined that the item(s) was received by the PTO.

II. Should applicant desire to supply the omitted item(s) and accept the date that such omitted item(s) was filed in the PTO as the filing date of the above-identified application, a copy of this Notice, the omitted item(s) (with a supplemental oath or declaration in compliance with 37 CFR 1.63 and 1.64 referring to such items), and a petition under 37 CFR 1.182 (with the \$130.00 petition fee (37 CFR 1.17(h)) requesting the later filing date must be filed within TWO MONTHS of the date of this Notice.

III. The failure to file a petition (and petition fee) under the above options (I) or (II) within TWO MONTHS of

the date of this Notice (37 CFR 1.181(f)) will be treated as a constructive acceptance by the applicant of the application as deposited in the PTO. **THIS TWO MONTH PERIOD IS NOT EXTENDABLE UNDER 37 CFR 1.136(a) or (b).** In the absence of a timely filed petition in reply to this Notice, the application will maintain a filing date as of the date of deposit of the application papers in the PTO, and original application papers (i.e., the original disclosure of the invention) will include only those application papers present in the PTO on the date of deposit.

In the event that applicant elects not to take action pursuant to options (I) or (II) above (thereby constructively electing option (III)), amendment of the specification to renumber the pages consecutively and cancel incomplete sentences caused by any omitted page(s), and/or amendment of the specification to cancel all references to any omitted drawing(s), relabel the drawing figures to be numbered consecutively (if necessary), and correct the references in the specification to the drawing figures to correspond with any relabelled drawing figures, is required. Any drawing changes should be accompanied by a copy of the drawing figures showing the proposed changes in red ink. Such amendment and/or correction to the drawing figures, if necessary, should be by way of preliminary amendment submitted prior to the first Office action to avoid delays in the prosecution of the application.

A copy of this notice MUST be returned with the reply.

A. Leppene

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 1 - ATTORNEY/APPLICANT COPY